

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

JEFRY SILVESTRE,

Defendant.

23-CR-249 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge:

On August 15, 2023, defendant was sentenced principally to a term of imprisonment of 60 months.

On December 18, 2023, defendant filed a motion requesting that the Court reduce his sentence pursuant to Amendment 821 to the Sentencing Guidelines which went into effect on November 1, 2023, and applies retroactively.

The Court has determined that defendant is not eligible for a sentence reduction. Defendant is precluded from a sentence reduction pursuant to Amendment 821 because he was sentenced to the statutorily required minimum term of imprisonment, and the Court may not impose a sentence below the mandatory minimum sentence.

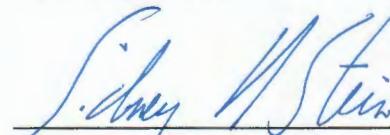
Accordingly, defendant's motion is hereby DENIED.

The Clerk of Court is directed to mail a copy of this Order to Jefry Silvestre (#32617-510), FCI Fort Dix, Federal Correctional Institution, P.O. Box 2000, Joint Base MDL, NJ 08640.

Dated: New York, New York

January 31, 2024

SO ORDERED:



Sidney H. Stein, U.S.D.J.